

REMARKS/ARGUMENTS

This amendment is submitted in response to the Office Action dated April 6, 2007. After entry of this amendment, claims 1-24 will continue to be pending in the application. Reconsideration and allowance is respectfully requested in view of the remarks made below.

1. The §112 Second Paragraph Rejections

Claim 25 was rejected in the Office Action under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. This rejection has been mooted because claim 25 is now canceled.

2. The Allowable Claims

Applicant notes with appreciation the indication in the Office Action that original claims 3-5, 7, 10-11, 14-16, 18, 21 and 22 were drawn to allowable subject matter. Those claims have been amended so that they are in independent form or depending from an allowable claim that is now in independent form. Accordingly, claims 3-5, 7, 10-11, 14-16, 18, 21 and 22 should be allowable and a Notice confirming such is respectfully requested in the next official communication.

3. The Prior Art Rejections

Original claims 1, 2, 6, 8, 9, 12, 13, 17, 19, 20 and 23-25 were rejected in the Office Action based on U.S. Reissue Patent 23,564 to Hobson ("Hobson"). Applicant respectfully but strenuously traverses these rejections and respectfully submits that such rejections should not be applied to the claims as amended, for the reasons set forth below.

Amended independent claims 1, 12 and 23 now positively recite that the pinch bars not only pinch the parison, but separate or cut it as well. The Examiner is referred to paragraph [00003] of the originally filed specification where it was described that conventional high speed rotary wheel machines typically included cut-off knife systems to cut or separate the parison. The cut-off knives would become nicked or dull and permit the undesirable formation of a “stringer,” which is a thin membrane-like connection between the molds.

As is explained in paragraph [00025] of the originally filed specification, the present inventors found that a pinching system could be used to separate the parison, which significantly reduced the formation of stringers and jam-ups downstream.

In the prior art of record, including Hobson, pinch bars are used to pinch but not separate the parison. There is no disclosure or suggestion in Hobson that the pinch bars are constructed and arranged to separate the parison as amended independent claims 1, 12 and 23 now positively recite. Accordingly, these claims and the claims depending therefrom should be patentable over the prior art of record, and a Notice confirming such is respectfully requested in the next official communication.

4. ***Conclusion***

Applicant has made an earnest effort to place this application in condition for allowance. If the Examiner feels that a telephone interview would expedite prosecution of this patent application, he or she is respectfully invited to telephone the undersigned at 215-599-0600. Contact with the undersigned via electronic mail at jknoble@patentwise.com is hereby authorized¹ per MPEP 502.03.

Respectfully submitted,

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¹ Recognizing that Internet communications are not secure, I hereby authorize the USPTO to communicate with me concerning any subject matter of this application by electronic mail. I understand that a copy of these communications will be made of record in the application file.